

236.820a Switch, power-operated.
 236.821 Switch, sectionalizing.
 236.822 Switch, spring.
 236.823 Switch, trailing point.
 236.824 System, automatic block signal.
 236.825 System, automatic train control.
 236.826 System, automatic train stop.
 236.827 System, block signal.
 236.828 System, traffic control.
 236.829 Terminal, initial.
 236.830 Time, acknowledging.
 236.831 Time, delay.
 236.831a Track, main.
 236.832 Train.
 236.833 Train, opposing.
 236.834 Trip.
 236.835 Trunking.
 236.836 Trunnion.
 236.837 Valve, electro-pneumatic.
 236.838 Wire, shunt.

APPENDIX A TO PART 236—CIVIL PENALTIES

AUTHORITY: 49 U.S.C. 20103, 20107 and 49 CFR 1.49.

SOURCE: 33 FR 19684, Dec. 25, 1968, unless otherwise noted.

§ 236.0 Applicability, minimum requirements, and civil penalties.

(a) Except as provided in paragraph (b) of this section, this part applies to railroads that operate on standard gage track which is part of the general railroad system of transportation.

(b) This part does not apply to rail rapid transit operations conducted over track that is used exclusively for that purpose and that is not part of the general system of railroad transportation.

(c) Where a passenger train is operated at a speed of 60 or more miles per hour, or a freight train is operated at a speed of 50 or more miles per hour, a block signal system complying with the provisions of this part shall be installed or a manual block system shall be placed permanently in effect which shall conform to the following conditions:

(1) A passenger train shall not be admitted to a block occupied by another train except under flag protection;

(2) No train shall be admitted to a block occupied by a passenger train except under flag protection;

(3) No train shall be admitted to a block occupied by an opposing train except under flag protection; and

(4) A freight train, including a work train, may be authorized to follow a freight train, including a work train, into a block but the following train must proceed prepared to stop within one-half the range of vision but not exceeding 20 miles per hour.

(d) Where any train is operated at a speed of 80 or more miles per hour, an automatic cab signal, automatic train stop or automatic train control system complying with the provisions of this part shall be installed.

(e) Nothing in this section authorizes the discontinuance of a block signal system, interlocking, traffic control system, automatic train stop, train control, or cab signal system without approval of the Federal Railroad Administration.

(f) Any person (an entity of any type covered under 1 U.S.C. 1, including but not limited to the following: a railroad; a manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lessee of railroad equipment, track, or facilities; any independent contractor providing goods or services to a railroad; and any employee of such owner, manufacturer, lessor, lessee, or independent contractor) who violates any requirement of this part or causes the violation of any such requirement is subject to a civil penalty of at least \$500 and not more than \$11,000 per violation, except that: Penalties may be assessed against individuals only for willful violations, and, where a grossly negligent violation or a pattern of repeated violations has created an imminent hazard of death or injury to persons, or has caused death or injury, a penalty not to exceed \$22,000 per violation may be assessed. Each day a violation continues shall constitute a separate offense. See appendix A to this part for a statement of agency civil penalty policy.

[49 FR 3382, Jan. 26, 1984, as amended at 53 FR 52936, Dec. 29, 1988; 63 FR 11624, Mar. 10, 1998]